



# PUBLIC NOTICE

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DA No. 09-2174

Report No. SCL-00093

Wednesday October 7, 2009

## ACTIONS TAKEN UNDER CABLE LANDING LICENSE ACT

### Section 1.767(a) Cable Landing Licenses, Modifications, and Assignments or Transfers of Control of Interests in Cable Landing Licenses (47 C.F.R. § 1.767(a))

By the Chief, Policy Division, International Bureau:

Pursuant to An Act Relating to the Landing and Operation of Submarine Cables in the United States, 47 U.S.C. §§ 34-39 (Cable Landing License Act), Executive Order No. 10530, Exec. Ord. No. 10530 reprinted as amended in 3 U.S.C. § 301, and section 1.767 of the Commission's rules, 47 C.F.R. § 1.767, the following applications ARE GRANTED. These grants of authority are taken under section 0.261 of the Commission's rules, 47 C.F.R. § 0.261. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this public notice.

This public notice serves as each cable landing licensee's Cable Landing License, or modification thereto, pursuant to the Cable Landing License Act and sections 1.767 and 1.768 of the Commission's rules. Cable landing licensees should review carefully the terms and conditions of their licenses. Failure to comply with these terms and conditions or relevant Commission rules and policies could result in fines or forfeitures.

The Commission most recently amended its rules applicable to submarine cable landing licenses in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001), 67 Fed. Reg. 1615 (Jan. 14, 2002). An updated version of sections 1.767 and 1.768 of the rules is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>. See also [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DA-02-598A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-02-598A1.pdf) for a March 13, 2002 Public Notice; [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-01-332A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-01-332A1.pdf) for the December 14, 2001 Report and Order.

SCL-ASG-20090817-00025

E

Kodiak Kenai Fiber Link, Inc.

Assignment

Grant of Authority

Date of Action: 10/01/2009

**Current Licensee:** Kodiak-Kenai Cable Company, LLC

**FROM:** Kodiak-Kenai Cable Company, LLC

**TO:** Kodiak Kenai Fiber Link, Inc.

Notification filed August 17, 2009 of the pro forma assignment of the cable landing license for the Kodiak-Kenai cable system, SCL-LIC-20060413-00004, held by Kodiak-Kenai Cable Company, LLC to its wholly-owned subsidiary, Kodiak-Kenai Fiber Link, Inc. effective July 15, 2009.

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**SCL-ASG-20090917-00029**      P      GT Landing II Corp.

Assignment

Grant of Authority

Date of Action:    10/01/2009

**Current Licensee:**    PAC Landing Corp.

**FROM:** PAC Landing Corp.

**TO:**    GT Landing II Corp.

Notification filed September 17, 2009 of the pro forma assignment of the cable landing license for the Pan American Crossing cable system, SCL-LIC-19981103-00022, SCL-MOD-20020415-00036, held by PAC Landing Corp. (PAC Landing) to GT Landing II Corp. (GT Landing II), effective December 31, 2008. Pursuant to an internal corporate restructuring, PAC Landing merged with and into GT Landing II, with GT Landing II being the surviving entity. As a result, GT Landing II acquired all of the assets of PAC Landing, including the cable landing license. PAC Landing and GT Landing II were both indirect, wholly-owned subsidiaries of Global Crossing North American Holdings, Inc. (GCNAH). PAC Landing was, and GT Landing II and GCNAH continue to be, indirect subsidiaries of Temasek Holdings (Private) Limited (Temasek), and Temasek continues to have ultimate control of the license.

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**SCL-ASG-20090917-00030**      P      GT Landing II Corp.

Assignment

Grant of Authority

Date of Action:    10/01/2009

**Current Licensee:**    MAC Landing Corp.

**FROM:** MAC Landing Corp.

**TO:**    GT Landing II Corp.

Notification filed September 17, 2009 of the pro forma assignment of the cable landing license for the Mid Atlantic Crossing cable system, SCL-LIC-19981030-00023, SCL-MOD-20020415-00035, held by MAC Landing Corp. (MAC Landing) to GT Landing II Corp. (GT Landing II), effective December 31, 2008. Pursuant to an internal corporate restructuring, MAC Landing merged with and into GT Landing II, with GT Landing II being the surviving entity. As a result, GT Landing II acquired all of the assets of MAC Landing, including the cable landing license. MAC Landing and GT Landing II were both indirect, wholly-owned subsidiaries of Global Crossing North American Holdings, Inc. (GCNAH). MAC Landing was, and GT Landing II and GCNAH continue to be, indirect subsidiaries of Temasek Holdings (Private) Limited (Temasek), and Temasek continues to have ultimate control of the license.

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**SCL-ASG-20090917-00031**      P      GT Landing II Corp.

Assignment

Grant of Authority

Date of Action:    10/01/2009

**Current Licensee:**    GT LANDING CORP.

**FROM:** GT Landing Corp.

**TO:**    GT Landing II Corp.

Notification filed September 17, 2009 of the pro forma assignment of the cable landing license for the Atlantic Crossing cable system, SCL-LIC-19970506-00003, SCL-MOD-20020415-00033, held by GT Landing Corp. (GT Landing I) to GT Landing II Corp. (GT Landing II), effective December 31, 2008. Pursuant to an internal corporate restructuring, GT Landing I merged with and into GT Landing II, with GT Landing II being the surviving entity. As a result, GT Landing II acquired all of the assets of GT Landing I, including the cable landing license. GT Landing I and GT Landing II were both indirect, wholly-owned subsidiaries of Global Crossing North American Holdings, Inc. (GCNAH). GT Landing I was, and GT Landing II and GCNAH continue to be, indirect subsidiaries of Temasek Holdings (Private) Limited (Temasek), and Temasek continues to have ultimate control of the license.

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**SCL-ASG-20090917-00032**      P      GLOBAL CROSSING TELECOMMUNICATIONS, INC.

Assignment

Grant of Authority

Date of Action:    10/01/2009

**Current Licensee:**    Global Crossing Latin America & Caribbean Co.

**FROM:** Global Crossing Latin America & Caribbean Co.

**TO:**    GLOBAL CROSSING TELECOMMUNICATIONS, INC.

Notification filed September 17, 2009 of the pro forma assignment of the cable landing license for the South American Crossing cable system, SCL-LIC-19990823-00015, SCL-MOD-20020415-00054, held by Global Crossing Latin America & Caribbean Co. (GCLAC) to Global Crossing Telecommunications, Inc. (GCTI), effective December 31, 2008. Pursuant to an internal corporate restructuring, GCLAC merged with and into GCTI, with GCTI being the surviving entity. As a result, GCTI acquired all of the assets of GCLAC, including the cable landing license. GCLAC and GCTI were both indirect, wholly-owned subsidiaries of Global Crossing North American Holdings, Inc. (GCNAH). GCLAC was, and GCTI and GCNAH continue to be, indirect subsidiaries of Temasek Holdings (Private) Limited (Temasek), and Temasek continues to have ultimate control of the license.

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**SCL-T/C-20090715-00022**      E      PC Landing Corp.

Transfer of Control

Grant of Authority

Date of Action: 10/06/2009

**Current Licensee:** PC Landing Corp.

**FROM:** Pacific Crossing Limited

**TO:** NTT Communications Corporation

Application for consent to transfer control of the cable landing license for the Pacific Crossing cable system (PC-1), SCL-LIC-19980807-00010, held by PC Landing Corp., from its 100% parent, Pacific Crossing Limited (PCL), to NTT Communications Corporation (NTT Communications). The PC-1 cable system consists of four segments connecting each of its four landing stations: Ajiguara, Japan to Habour Pointe, Washington; Shima, Japan to Grover Beach, California; Ajiguara to Shima; and Habour Pointe to Grover Beach.

Pursuant to a stock purchase agreement executed on May 22, 2009, NTT Communications will acquire all the issued and outstanding shares of PCL, and PCL will become a direct, wholly-owned subsidiary of NTT Communications. PCL will remain the sole shareholder of PC Landing Corp. and PC Landing Corp. will remain the cable landing licensee of the PC-1 cable system.

NTT Communications, a corporation organized under the laws of Japan, is a direct, wholly-owned subsidiary of Nippon Telegraph and Telephone Corporation (NTT), a Japanese holding company. The Japanese government owns 33.75 % of the issued shares of NTT, held principally through its Minister of Finance, who holds 33.71% of the issued shares of NTT. No other shareholder holds a 10% or greater equity interest in NTT.

NTT Communications is a foreign carrier in Japan, which is a World Trade Organization (WTO) Member country, and agrees to accept and abide by the reporting requirements in section 1.767(l) of the Commission's rules, 47 C.F.R. §1.767(l).

Applicants agree to accept and abide by the routine conditions specified in section 1.767(g) of the Commission's rules, 47 C.F.R. § 1.767(g).

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition) filed in this proceeding on September 22, 2009 by the Department of Homeland Security, Department of Justice, and Department of Defense (collectively, the "Executive Branch agencies"). Accordingly, we condition grant of this application on Pacific Crossing Limited and PC Landing Corp. abiding by the commitments and undertakings contained in their September 11, 2009, Letter of Assurances (September 11 2009 Letter) to the Executive Branch agencies. A copy of the Petition and the September 11, 2009 Letter are publicly available and may be viewed on the FCC website through the International Bureau Filing System (IBFS) by searching for SCL-LIC-20090715-00022 and accessing "Other filings related to this application" from the Document Viewing area.

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**SCL-T/C-20090727-00023**      E      Tyco Telecommunications (US) Inc.

Transfer of Control

Grant of Authority

Date of Action: 10/01/2009

**Current Licensee:** Tyco Telecommunications (US) Inc.

**FROM:** Tyco Telecommunications( US) Inc.

**TO:** Tyco Electronics Ltd.

Notification filed July 27, 2009 of the pro forma transfer of control of the cable landing license for the southern segment of the Tyco Pacific System, SCL-LIC-20050304-00011, held by Tyco Telecommunications (US) Inc. (Tyco Telecom). Tyco Telecom is an indirect, wholly-owned subsidiary of Tyco Electronics Ltd. (TEL). TEL changed its place of incorporation from Bermuda to Switzerland, effective June 25, 2009. Tyco Telecom remains an indirect, wholly-owned subsidiary of TEL.

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**SCL-T/C-20090813-00024**      E      Reliance Globalcom Limited

Transfer of Control

Grant of Authority

Date of Action: 10/01/2009

**Current Licensee:** Reliance Globalcom Limited

**FROM:** Reliance Gateway Net Limited

**TO:** Reliance Communications Limited

Notification filed August 13, 2009 of the pro forma transfer of control of the cable landing license for FLAG Atlantic-1 cable system, SCL-LIC-19990301-00005, SCL-MOD-20040211-00005, held by Reliance Globalcom Limited (Reliance Globalcom) from Reliance Gateway Net Limited (RGNL) to Reliance Communications Limited (RCOM), effective July 13, 2009. Prior to the pro forma transaction, RCOM held a 10 percent interest in Reliance Globalcom BV (RGBV), which has indirect control of Reliance Globalcom, and RGNL, a wholly-owned subsidiary of RCOM, held a 90 percent interest in RGBV. Pursuant to an internal restructuring, RGNL was merged into RCOM, with RCOM being the surviving entity. RCOM now holds a 100% ownership interest in RGBV. RCOM, RGBV and Reliance Globalcom remain under the ultimate control of Anil Ambani (67%) and Kokilaben Ambani (33%), both citizens of India.

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#### **SURRENDER**

**SCL-LIC-19961026-00001**

Brasil Telecom of America Inc.

By letter filed September 25, 2009, Applicant notified the Commission of the Surrender of its license, SCL-LIC-19961026-00001, SCL-MOD-20030701-00020, effective September 25, 2009.